No. 93

MICHIGAN SENATE

DAILY CALENDAR

THURSDAY, OCTOBER 20, 2005 10:00 a.m.

10:00 a.m.			
	MOTIONS		MESSAGES FROM THE GOVERNOR
SB	246 Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a. Motion to discharge Committee on Appropriations pending.	SB	274 Sen. Clarke Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Thursday, September 29. For veto message, see Senate Journal No. 87, page
SB	318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384).		1762. Vetoed line items pending.
	Motion to discharge Committee on Commerce and Labor pending. MESSAGES FROM THE GOVERNOR 3	SB	Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Friday, September 30. For veto message, see Senate Journal No. 87, pag 1762.
SB	272 Sen. Switalski Appropriations; general government; general government; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed,		Vetoed line items pending. MESSAGES FROM THE HOUSE
	Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.	SB	74 Sen. Goschka Crimes; kidnapping; reporting a false "Amber alert"; pro-
SB	271 Sen. Scott Appropriations; human services; department of human services; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Wednesday, September 28. For veto message, see Senate Journal No. 87, page 1760. Vetoed line items pending.		hibit and provide penalties. Amends title of 2002 PA 712 (MCL 28.751 - 28.753) adds sec. 4. I.E. House, October 6, 2005. Returned from House with amendment, Tuesda October 11; laid over under the rules. For House amendment, see Senate Journal No. 8 page 1794. Committee recommended I.E.
SR	264 Sen Barcia	SB	175 Sen Brown

Economic development; other; tax incentives for distribu-

Returned from House with House substitute (H-1),

tion and warehousing facilities that investigate a possible

Amends sec. 2 of 1974 PA 198 (MCL 207.552).

Wednesday, October 19; laid over under the rules.

site in Michigan; provide for.

I.E. House, October 18, 2005.

Committee recommended I.E.

Creates appropriation act.

Approved by Governor, with line items vetoed,

Wednesday, September 28.

Appropriations; agriculture; department of agriculture;

For veto message, see Senate Journal No. 87, page 1761

Vetoed line items pending.

provide for fiscal year 2005-2006.

THIRD READING OF BILLS

____ 10 _____

SB 102 Sen. Cropsey

Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.

Reported by Committee on Judiciary.

Committee recommended I.E.

SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

— 12 —

HB 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs, 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

Committee recommended I.E.

—— 13 —

SB 789 Sen. Birkholz

Environmental protection; water pollution; strategic water quality initiatives fund; allow to be used for grant program.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

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SB 790 Sen. Van Woerkom

Environmental protection; water pollution; strategic water quality initiatives fund; allow to be used for grant program.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

– 15 –

HB 4572 Rep. Stakoe

Environmental protection; water pollution; Great Lakes water quality bonds; create fund to be expended for grants for engineering and consulting costs associated with sewage treatment projects.

Amends 1985 PA 227 (MCL 141.1051 - 141.1076) by adding sec. 16c.

I.E. House, May 3, 2005.

House substitute (H-5).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-5).

Committee recommended I.E.

THIRD READING OF BILLS

HB 4573 Rep. Nitz

Environmental protection; water pollution; Great Lakes water quality bonds; transfer a portion of the money to the wastewater application grant fund.

Amends sec. 19708 of 1994 PA 451 (MCL 324.19708).

I.E. House, May 3, 2005.

House substitute (H-5).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-3).

Committee recommended I.E.

— 17 *—*

HB 5110 Rep. Kooiman

Children; child care; before- and after-school programs; provide procedures for deemed status.

Amends sec. 1 of 1973 PA 116 (MCL 722.111).

I.E. House, September 21, 2005.

House substitute (H-1).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

_____ 18 _____

SB 308 Sen. Olshove

Crimes; obscenity; parent displaying sexually explicit material to minor; establish as a crime.

Amends sec. 6 of 1978 PA 33 (MCL 722.676).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

— 19 *—*

HB 4133 Rep. Mortimer

Civil procedure; service of process; prohibition of process service on Sunday and election day; repeal.

Repeals sec. 1831 of 1961 PA 236 (MCL 600.1831).

I.E. House, June 21, 2005.

House substitute (H-3).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

____ 20 _____

SB 799 Sen. Brater

Environmental protection; water pollution; state water pollution control revolving fund; allow to be used for project planning.

Amends sec. 5301 of 1994 PA 451 (MCL 324.5301).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

____ 21 ______

SB 800 Sen. Basham

Environmental protection; water pollution; grants for water pollution control activities; authorize grant agreements.

Amends 1985 PA 227 (MCL 141.1051 - 141.1076) by adding sec. 16d.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

THIRD READING OF BILLS

____ 22 ______

HB 4997 Rep. Hunter

Financial institutions; savings banks; duplicate suspicious activity report filing; eliminate.

Repeals sec. 514 of 1996 PA 354 (MCL 487.3514).

I.E. House, September 7, 2005.

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

_____ 23 __

HB 4998 Rep. Clemente

Financial institutions; savings and loan associations; duplicate suspicious activity report filing; eliminate.

Repeals sec. 1135 of 1980 PA 307 (MCL 491.1135).

I.E. House, September 7, 2005.

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

_____ 24 _____

HB 4999 Rep. Hune

Financial institutions; credit unions; duplicate suspicious activity report filing; eliminate.

Repeals sec. 307 of 2003 PA 215 (MCL 490.307).

I.E. House, September 7, 2005.

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

____ 25 _____

HB 5000 Rep. Green

Financial institutions; banks; duplicate suspicious activity report filing; eliminate.

Repeals sec. 4406 of 1999 PA 276 (MCL 487.14406).

I.E. House, September 7, 2005.

Reported by Committee on Banking and Financial Institutions.

Committee recommended I.E.

____ 26 _____

SB 736 Sen. Goschka

Corrections; jails; expense of inmate medical care; require sheriff to draw on inmate's health care policy before county is charged.

Amends secs. 4 & 4a of 1846 RS 171 (MCL 801.4 & 801.4a).

Reported by Committee on Appropriations.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

____ 27 _____

SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

GENERAL ORDERS

— 28 ——

SB 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 48, page 708.

Committee recommended I.E.

_____ 30 ____

HB 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

Reported by Committee on Government Operations.

Senate substitute (S-1).

Committee recommended I.E.

____ 31 _____

SB 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

_____ 32 _____

SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

— 33 ———

SB 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

GENERAL ORDERS

____ 34 _____

SB 476 Sen. Sanborn

State; funds; Michigan strategic fund, research center fund advisory committee; eliminate.

Amends sec. 77 of 1984 PA 270 (MCL 125.2077).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

____ 35 _____

SB 633 Sen. Cassis

Single business tax; rate; rate reduction; provide for.

Amends sec. 31 of 1975 PA 228 (MCL 208.31) & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

_____ 36 _____

SB 634 Sen. Cassis

Single business tax; apportionment; sales factor; increase to 100%.

Amends sec. 45a of 1975 PA 228 (MCL 208.45a).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

____ 37 _____

HB 4555 Rep. Pearce

Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for.

Amends sec. 10k of 1951 PA 51 (MCL 247.660k).

I.E. House, June 9, 2005.

House substitute (H-2).

Reported by Committee on Commerce and Labor.

Senate substitute (S-2).

Committee recommended I.E.

____ 38 _____

SJR E Sen. Stamas

Land use; condemnation; taking of private property by eminent domain for the primary benefit of private entities; prohibit.

Amends sec. 54, art. X of the state constitution.

Reported by Committee on Transportation.

Senate substitute (S-2).

_____ 39 _____

SB 693 Sen. Brown

Land use; condemnation; use of eminent domain to transfer private property to private entities; prohibit.

Amends sec. 3 of 1911 PA 149 (MCL 213.23).

Reported by Committee on Transportation.

Senate substitute (S-3).

Committee recommended I.E.

GENERAL ORDERS

— 40 **—**

HB 4325 Rep. Mortimer

Occupations; physicians; performance of needle electromyography and the performance and interpretation of nerve conduction studies; clarify who is authorized to perform.

Amends secs. 17001 & 17501 of 1978 PA 368 (MCL 333.17001 & 333.17501) & adds secs. 17018 & 17518.

I.E. House, April 20, 2005.

House substitute (H-1).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

HB 4315 Rep. Hoogendyk

Counties; boards and commissions; county road commission; provide option to expand membership or eliminate.

Amends sec. 6 of 1909 PA 283 (MCL 224.6).

I.E. House, June 29, 2005.

House substitute (H-2).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

HB 4316 Rep. Gaffney

Counties; charter; county road commission; provide option to expand membership or eliminate.

Amends sec. 14 of 1966 PA 293 (MCL 45.514).

I.E. House, June 29, 2005.

House substitute (H-2).

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

HB 4317 Rep. Lipsey

Counties; other; county road commission; provide option to expand membership or eliminate.

Amends sec. 12 of 1973 PA 139 (MCL 45.562).

I.E. House, June 29, 2005.

Reported by Committee on Transportation.

Senate substitute (S-1).

Committee recommended I.E.

44

HB 4718 Rep. Gleason

Highways; name; portion of M-54 in Genesee county; rename the "Marine Corps League Memorial Highway", and a portion of M-54 in part of Genesee county rename "UAW Sitdown Strike Memorial Highway".

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 78.

I.E. House, September 15, 2005.

House substitute (H-1).

Reported by Committee on Transportation.

Senate substitute (S-2).

Committee recommended I.E.

GENERAL ORDERS

— 45 ———

SB 120 Sen. Johnson

Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 27a to ch. VIII.

Reported by Committee on Judiciary.

Senate substitute (S-2).

Committee recommended I.E.

SB 263 Sen. Hammerstrom

Crime victims; statements; hearsay rule; exempt certain statements of domestic violence victims.

Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding secs. 27a & 27b to ch. VIII.

Reported by Committee on Judiciary.

Senate substitute (S-4).

Committee recommended I.E.

------ 47 ------

HB 4968 Rep. Schuitmaker

Probate; wills and estates; miscellaneous amendments to the estates and protected individuals code; enact.

Amends secs. 1104, 2301, 2908, 3715, 3804, 3919, 5202, 5217, 5423, 7401, 7502 & 7508 of 1998 PA 386 (MCL 700.1104 et seq.).

I.E. House, September 27, 2005.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

RESOLUTIONS

SCR 28 Sen. Johnson

A concurrent resolution to increase the total project cost of the Department of Corrections Riverside Correctional Facility Power Plant Automation project.

Reported by Committee on Appropriations.

For text of resolution, see Senate Journal No. 78, page 1289.

Adoption pending.

COMMITTEE REPORTS

— 49 ——

HB 5253 Rep. Acciavatti

Revenue sharing; cities and villages; distribution formula: revise.

Amends sec. 13 of 1971 PA 140 (MCL 141.913).

I.E. House, October 6, 2005.

House substitute (H-1).

Reported by Committee on Appropriations.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

COMMITTEE REPORTS

— 50 ———

SB 712 Sen. Brown

Crimes; gambling; allowance of gambling on certain card games at senior citizen housing facility; revise to include senior center that is not a housing facility.

Amends sec. 303a of 1931 PA 328 (MCL 750.303a).

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SB 764 Sen. Allen

Veterans; other; "Purple Heart Monument" to honor citizens of Michigan receiving the award; create.

Creates new act.

Reported by Committee on Senior Citizens and Veterans Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 52 _____

SB 747 Sen. Gilbert

Environmental protection; landfills; research, development, and demonstration projects; allow disposal of liquid waste.

Amends sec. 11514 of 1994 PA 451 (MCL 324.11514).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-2).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

____ 53 _____

HB 5148 Rep. Pavlov

Environmental protection; landfills; research, development, and demonstration projects; authorize.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 11511b.

I.E. House, October 5, 2005.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

— 54 —

HB 5149 Rep. Acciavatti

Environmental protection; sewage; definition of "receiving facility"; revise and require legal description of landfill boundaries.

Amends secs. 11518 & 11701 of 1994 PA 451 (MCL 324.11518 & 324.11701).

I.E. House, October 5, 2005.

House substitute (H-4).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

SCHEDULED MEETINGS

Appropriations -

Subcommittees -

Agriculture, Joint Senate/House - Tuesday, October 25, 9:00 a.m., Room 426, Capitol Building (373-5932)

Capital Outlay - Thursday, October 20, 9:00 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-2523)

Higher Education - Wednesday, November 2, 8:30 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-1760)

Banking and Financial Institutions - Thursday, October 20, 12:00 noon, Senate Hearing Room, Ground Floor, Boji Tower (373-2417) (CANCELED)

Education - Thursday, October 20, 2:00 p.m., Room 210, Farnum Building (373-6920)

SCHEDULED MEETINGS

Legislative Retirement Board of Trustees -

Subcommittee -

Investment - Thursday, October 20, 2:30 p.m., Room 929, South Tower, House Office Building (373-0575)

Local, Urban and State Affairs - Thursday, October 20, 1:00 p.m., Room 110, Farnum Building (373-1707)

Michigan Capitol Committee - Tuesday, November 8, 3:00 p.m., Room 426, Capitol Building (373-0289)

Senate Fiscal Agency Board of Governors - Thursday, October 27, 9:00 a.m., Room S-101, Capitol Building (373-0797)

BILLS IN CONFERENCE Report Agreed To **Conferees Brief Title** Senate Bill No. Senate House House HB 4834 Financial institutions; other; regulation and Robertson Sanborn Gilbert licensing of deferred presentment service Palsrok providers and transactions; provide for. Jacobs McConico